

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

MOBIUS MANAGEMENT SYSTEMS, INC., :  
: Plaintiff, :  
: :  
v. : C.A. No. 05-346 SLR  
: :  
ACARTUS, INC., :  
: :  
Defendant. :  
:

**STIPULATION AND ORDER**

WHEREAS, by Order dated December 5, 2006 (D.I. 93), all summary judgment motions must be served and filed with opening briefs no later than April 2, 2007, and

WHEREAS, by operation of D. Del. LR 7.1.2, answering briefs in opposition to summary judgment motions would be due during religious holidays and would thereby cause hardship to certain counsel for the parties;

WHEREAS, the plaintiff requested an extension for the summary judgment briefing from the Court;

WHEREAS, the defendant did not oppose the extension as long as the pre-trial conference was rescheduled to allow the Court adequate time to decide the summary judgment motion;

WHEREAS, on March 8, 2007, the Court granted plaintiff's request for an extension for the summary judgment briefing and agreed to reschedule the pre-trial conference;

IT IS HEREBY STIPULATED by the parties, through their undersigned counsel, subject to approval of the Court, that:

1. Answering briefs in opposition to summary judgment motions shall be served and filed no later than April 30, 2007.

2. Reply briefs in support of summary judgment motions shall be served and filed no later than May 14, 2007.

3. In order to allow the Court sufficient time to consider the parties' summary judgment motions, the pre-trial conference currently scheduled for June 26, 2007 shall be rescheduled to July 23, 2007, at 4:30 p.m.

PROCTOR HEYMAN LLP

/s/ Patricia L. Enerio

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SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2007.

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The Honorable Sue L. Robinson  
 United States District Judge